

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:22-cv-00213-MR**

**SOMCHAI NOONSAB,**

**Petitioner,**

**vs.**

**STATE OF NORTH CAROLINA,**

**Respondent.**

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**ORDER**

**THIS MATTER** is before the Court on the filing submitted by Somchai Noonsab (“the Petitioner”) on September 21, 2022, which this Court construes as a Petition for Writ of Habeas Corpus in accordance with 28 U.S.C. § 2254. [Doc. 1].

The Petitioner is a prisoner of the State of North Carolina, currently incarcerated at Franklin Correctional Center in Franklin County, North Carolina. The Petitioner is currently serving a sentence following his criminal conviction in Wake County, North Carolina. As best as can be discerned from the pleading, the Petitioner appears to challenge his state court conviction and the state court’s jurisdiction over him. [Doc. 1].

State prisoner habeas corpus petitions may be brought either in the federal judicial district in which the state court of the conviction is located or

in the district of confinement. See 28 U.S.C. § 2241(d). The Petitioner's place of conviction and place of confinement are both located in the Eastern District of North Carolina. As such in accordance with 28 U.S.C. § 2241(d) and joint order of the United States District Courts for the Eastern, Middle and Western Districts of North Carolina (Joint Order, In re: Applications for Writs of Habeas Corpus (Oct. 26, 1966)), the Court shall transfer this action to the United States District Court for the Eastern District of North Carolina, where venue is proper.


This Court has not conducted an initial review of the petition and makes no observation as to its merits or timeliness.

**IT IS, THEREFORE, ORDERED that:**

1. This action is transferred to the Eastern District of North Carolina.
2. The Clerk is instructed to terminate this action.

**IT IS SO ORDERED.**

Signed: October 27, 2022

  
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Martin Reidinger  
Chief United States District Judge

